



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 15-1254

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## ADDITIONAL PARTIES SEEKING ACCESS TO DATA AND INFORMATION FILED IN RESPONSE TO THE SPECIAL ACCESS DATA COLLECTION

WC Docket No. 05-25; RM-10593

### Objections Due by: November 16, 2015

On June 24, 2015, the Wireline Competition Bureau (Bureau) released a Public Notice announcing it is ready to receive executed Acknowledgements of Confidentiality (Acknowledgements) from parties seeking access to confidential and highly confidential information submitted in response to the Commission's special access data collection earlier this year.<sup>1</sup> The Bureau has since released four public notices listing those parties filing Acknowledgments as of the release dates and stating we would announce additional Acknowledgement filers on a rolling basis in subsequent public notices.<sup>2</sup> In today's Public Notice, we attach a list showing additional parties that have filed Acknowledgements since October 7, 2015 or were not included in previous public notices. By executing an Acknowledgment, a party certifies that its purpose for accessing and using the special access data is "solely for preparation and conduct" in the special access proceeding.<sup>3</sup>

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<sup>1</sup> See *Wireline Competition Bureau Now Receiving Acknowledgements of Confidentiality Pursuant to Special Access Data Collection Protective Order*, WC Docket No. 05-25, RM-10593, Public Notice, 30 FCC Rcd 6421 (Wireline Comp. Bur. 2015) (*Public Notice*); *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Data Collection Protective Order, 29 FCC Rcd 11657, 11673, Appx. A at para. 5 (Wireline Comp. Bur. 2014) (*Protective Order*) (discussing the process for interested parties to gain access to confidential and highly confidential information); see also *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Modified Data Collection Protective Order, DA 15-1035 (Wireline Comp. Bur. rel. Sept. 17, 2015); see also *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318 (2012).

<sup>2</sup> *Additional Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, DA 15-1083 (Wireline Comp. Bur. rel. Sept. 29, 2015); *Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, DA 15-1038 (Wireline Comp. Bur. rel. Sept. 17, 2015); *Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, 30 FCC Rcd 7260 (Wireline Comp. Bur. 2015).

<sup>3</sup> By the terms of the *Protective Order*, requesting parties assist Participants, which "means any person or entity that has filed, or has a good faith intention to file, material comments in this proceeding." See *Protective Order*, 29 FCC Rcd at 11674, Appx. A at paras. 1, 8 (defining Participant and discussing restrictions on use).

Pursuant to the *Protective Order*, companies that submitted confidential or highly confidential information in response to the collection have until **November 16, 2015** to object to the disclosure of their data and information to any of the parties listed in the attachment to this Public Notice.<sup>4</sup> To file an objection with the Commission, an objecting party should use one of the methods described below and serve a copy on the counsel representing, retaining, or employing the objected to party, or on the objected to party, within five (5) business days of release of this Public Notice.<sup>5</sup> Objecting parties should also email a copy of their objection to [SpecialAccess@fcc.gov](mailto:SpecialAccess@fcc.gov).<sup>6</sup> Absent the filing of an objection, each requesting party listed in the Attachment will have access to confidential and highly confidential data and information collected once that information is made available by the Bureau.<sup>7</sup> For additional information regarding the access authorization and objection process, see the *Protective Order*.

The Bureau will continue to announce the filing of additional executed Acknowledgements to the extent such Acknowledgments are received after the date of this Public Notice, and will give Submitting Parties an opportunity to object to disclosure of their information. The Bureau maintains a list of all parties that have sought access, and been granted access, to confidential and highly confidential information, on the following webpage: <http://www.fcc.gov/encyclopedia/acknowledgement-confidential-special-access-data-collection>.

- Electronic Filers: Objections may be filed electronically using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

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<sup>4</sup> See *Protective Order*, 29 FCC Rcd at 11673, Appx. A at para. 5.

<sup>5</sup> See 47 C.F.R. § 1.47.

<sup>6</sup> We will not allow access to data covered by the scope of an objection until the ten business day window for filing challenges has expired without the filing of a challenge. See *Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership For Consent to Assign or Transfer Control of Licenses and Authorizations*, MB Docket No. 15-149, Order, 30 FCC Rcd 10360, 10374, para. 26 (2015).

<sup>7</sup> See *Protective Order*, 29 FCC Rcd at 11673, Appx. A at para. 5.

For further information, please contact Joseph Price, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1423 or via email at [Joseph.Price@fcc.gov](mailto:Joseph.Price@fcc.gov).

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**ATTACHMENT**  
**Parties Filing Acknowledgements Seeking Access to**  
**Confidential and/or Highly Confidential Information**  
*(As of November 5, 2015)*

<b>Party Filing Acknowledgement* Date(s) Filed</b>	<b>Name, Position, Firm</b>	<b>Highly Confidential</b>	<b>Confidential</b>
Willkie Farr & Gallagher LLP (Birch Communications, Inc., BT Americas Inc., INCOMPAS, EarthLink, Inc., and Level 3 Communications, LLC) 10/21/2015	Alex Moyer Law Clerk, Willkie Farr & Gallagher LLP	X	X
Red State 10/22/2015	Neil Stevens Tech Policy Writer, Red State	X	X
Harris, Wiltshire & Grannis LLP (Sprint Corporation) 10/26/2015	James Wieler Research Analyst, The Brattle Group	X	X
Willkie Farr & Gallagher LLP (Level 3 Communications, LLC, Windstream Services, LLC, and XO Communications, LLC) 11/2/2015	Hansen, Otto R. Economic Consultant, FTI Consulting	X	X
	Lee, Alexandra Economic Consultant, FTI Consulting	X	X

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\* For firms filing signed Acknowledgments, we have indicated the client(s) represented in parentheses. The Acknowledgements file by Neil Stevens, Tech Policy Writer, Red State, was not filed on behalf of a client or other third party.